

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

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JOHN FASUSI,

Plaintiff,

Case No. 19-13288-BFK

Chapter 7

Adversary Proceeding No. 19-01122-BFK

v.

GABY A. TOUMA

Defendant.

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Plaintiff's Initial Disclosures under  
Federal Rule of Civil Procedure 26(a)

1. Under Rule 26(a)(1)(A), the names, addresses and telephone numbers of each individual likely to have discoverable information that Plaintiff may use to support his claims or defenses:

A. Name: JOHN FASUSI  
Address: c/o Thomas R Breeden  
Thomas R. Breeden, P.C.  
10326 Lomond Drive  
Manassas VA 20109  
Telephone: (703) 361-9277

Has knowledge of all aspects of this matter

B. The Defendant, Gaby A. Touma  
C. Representatives of GN Auto, LLC

2. Under Rule 26(a)(1)(A), the subjects of the discoverable information known by the above individuals:

- A. JOHN FASUSI: Plaintiff has knowledge of facts alleged in the pleadings, as well as her damages.
- B. Unknown Agents of Defendant: Upon receipt of Defendant's Rule 26(a) disclosures and responses to discovery, Plaintiff may learn the identity of additional agents of Defendant that may elicit testimony to be used by Plaintiff.
- C. Unknown Agents of GN Auto, LLC: Upon receipt of Defendant's Rule 26(a) disclosures and responses to discovery, Plaintiff may learn the identity of additional agents of GN Auto, LLC that may elicit testimony to be used by Plaintiff.
- D. Expert Testimony as Needed: Plaintiff may seek to use expert testimony, but at this time have not retained or consulted with any experts. Plaintiff will supplement this disclosure once an expert has been retained.

3. Under Rule 26(a)(1)(B), Plaintiff set forth the following categories of documents, data compilations, and tangible items in his possession, custody or control that they may use to support his claims or defenses:

- 1. Arbitration Award dated October 10, 2017
- 2. Complaint in Fairfax County Case Number 2016-13918
- 3. Fasusi's Arbitration Complaint against Touma and GN Auto, LLC
- 4. Motion to impose judgment (Confirm arbitration award) filed in Fairfax County Case Number 2016-13918
- 5. Virginia Supreme Court's August 1, 2019 ruling for Record No 180642.
- 6. Advertisement
- 7. Buyers Order
- 8. Retail Installment Contract
- 9. Buyers Guide
- 10. Cars Protection Plus contract
- 11. NADA for 1998 Mercedes Benz E Class
- 12. Motor Vehicle Dealer Board Records related to March 15, 2017 decision on disciplinary action against Gaby Touma
- 13. Loudoun County General District Court Criminal Records related to Gaby Touma's June 9, 2015 convictions of violating Virginia Code §46.201542
- 14. Loudoun County General District Court Criminal Records related to Gaby Touma's December 13, 2016 convictions of

- violating Virginia Code §46.2-1544
15. All documents produced by Defendant.

4. Under Rule 26(a)(1)(C), Plaintiff produces the following computation of damages claimed, and makes available for inspection and copying under Rule 34 any non-privileged documents or other evidentiary materials on which these computations are based:

The Plaintiff seeks \$19,761.00 actual damages, tripled to \$59,013.00; punitive damages of \$50,000.00, attorney fees of \$10,810.00 and court costs of \$453.72 as set forth in the Arbitration Award dated October 10, 2017, and for such other and further relief as this Honorable Court deems appropriate.

Dated: February 4, 2020

Respectfully served,

JOHN FASUSI  
By Counsel

/s/ Thomas R. Breeden  
Thomas R. Breeden, Esq. (VSB #33410)  
THOMAS R. BREEDEN, P.C.  
10326 Lomond Drive  
Manassas, Virginia 20109  
(703) 361-9277 Telephone  
(703) 337-0441 Facsimile  
[trb@tbreedenlaw.com](mailto:trb@tbreedenlaw.com)  
Counsel for Plaintiff

#### Certificate of Service

I hereby certify that on February 4, 2020 the Initial Disclosures were served by email and via the CM/ECF system to:

Thomas K. Plofchan, Jr, Esquire  
Jacqueline A. Kramer, Esquire  
Westlake Legal Group 46175 Westlake Drive, # 320

Sterling, Virginia 20165  
Counsel for Defendant

Janet M. Melburger  
The Melburger Law Firm, P.C.  
1493 Chain Bridge Road, Suite 201  
McLean, VA 22101-5726  
Trustee

/s/ Thomas R. Breeden  
Thomas R. Breeden